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UNITED STATES DEPARTMENT OF AGRICULTURE
Agricultural Marketing Service
Washington 25, D. C.
Cotton Division

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REGULATIONS UNDER THE UNITED STATES COTTON
STANDARDS ACT APPLICABLE TO COTTON LINTERS 1/
(REVISED EFFECTIVE JULY 1, 1956)

UNITED STATES COTTON LINTERS

Sec. 28.136 Applicability of other sections of regulations. Insofar as applicable, and not inconsistent with sections 28.136-28.152, the provisions of the foregoing subpart relating to cotton shall likewise apply to cotton linters.

Sec. 28.137 Boards of cotton linters examiners. There shall be located at Washington, D. C., and, when necessary in the opinion of the Administrator, at any other point that he shall designate for the purpose, a board of cotton linters examiners. The members of all such boards and the chairman of each shall be designated by the Administrator.

Sec. 28.138 Classification and comparison; requests; memorandums and certificates. For each lot or mark of linters which the applicant desires classified or compared separately he shall make a separate written request specifying which of the following forms of service is desired. Only one request within a 30-day period shall be made by the same owner for the classification or comparison of the same linters, except a request for a review determination. If the applicant desires that the samples be returned to him, at his expense, he must indicate this in the request for classification or comparison. If the return of samples is not requested they shall become the property of the Government and shall be disposed of in accordance with law and applicable regulations.

(a) Form A determination. The classification or comparison of samples of linters that have been freshly drawn by a licensed classifier and submitted direct to a Board of Cotton Linters Examiners without classification or further handling by such classifier. Such classification shall be evidenced by a Form A memorandum which shall be subject to review as provided in section 28.146. Composite samples composed of portions of linters drawn from more than one bale are not eligible for Form A determinations.

1/ This is not a complete listing of the Regulations under the U. S. Cotton Standards Act that apply to cotton linters and licensed cotton linters classifiers. The listing does include the basic regulations governing the classification of cotton linters.

(b) Form C determination. The classification of bales of linters sampled under the supervision of an employee of the Department of Agriculture. The classification in such cases shall be evidenced by a Form C certificate which shall be subject to review as provided in section 28.146. Such certificate when it has been reviewed in accordance with section 28.146 shall be deemed to be a final certificate as to the classification shown, within the meaning of Section 4 of the Act (42 Stat. 1517; 7 U.S.C. 54).

(c) Form D determination. The classification or comparison of samples submitted for other than Form A or Form C determinations. Such classification or comparison shall be evidenced by a Form D memorandum which shall not be subject to review.

Sec. 28.139 Filing of requests. All requests for classification or comparison leading to Form A memoranda, Form D memoranda, or Form C certificates shall be filed with the secretary of the Board of Cotton Linters Examiners at Washington, D. C., unless otherwise directed by the Administrator.

Sec. 28.140 Samples: weight; drawing. Each sample submitted to a Board of Cotton Linters Examiners shall weigh not less than 8 ounces; shall be wrapped separately; shall contain a coupon or tag showing the bale number or identity of bale from which drawn; and shall be drawn in the following manner:

(a) Condenser system linters. Separate portions shall be drawn from three different places in either head of the bale so as to provide as representative sample as possible, each portion to be approximately 6 by 8 inches in size. All portions of the bale sample shall be placed in a single paper sack or wrapper together with an identifying tag stub or other identification. The portions together shall constitute the sample representing one bale.

(b) Flue and beater system linters. A sample of not less than 8 ounces, consisting of equal portions drawn from two sides of a bale, or from two shoulders of a bale, shall be drawn.

Sec. 28.141 Inspection of bales for special conditions. A licensed classifier drawing samples for submission to a Board of Cotton Linters Examiners for Form A classification or comparison shall inspect each bale and shall specify on his sampler's certificate accompanying the samples any conditions not fully indicated by the samples.

Sec. 28.142 Submission of samples. All samples submitted to a Board of Cotton Linters Examiners for classification or comparison under this subpart shall be delivered or sent to the secretary of the board with all transportation charges incident thereto prepaid. All samples submitted by a licensed linters classifier for Form A classification must have been freshly drawn by such classifier, must be submitted direct to the board without classification or further handling, and must be accompanied by a sampler's certificate. Such certificate shall be on a form furnished by the Agricultural Marketing Service for this purpose.

Sec. 28.143 Method of Classification. The classification of all cotton linters samples shall be in accordance with the official cotton linters standards of the United States and sections 28.143-28.145. The grade, staple, and character of each sample shall be determined and designated separately, together with any special conditions of the sample or bale. The official staple guides (section 28.152) shall be used in the practical determination of the staple classification of cotton linters.

Sec. 28.144 Samples falling between grades or staples. In classification, a sample which is determined to be between two adjacent grades or between two adjacent staples shall be assigned the lower of the two grades or two staples.

Sec. 28.145 Terms defined; linters classification. For the purposes of classification of any cotton linters or comparison with a type or other samples, the following terms shall be construed, respectively, to mean:

(a) Grade. The term grade means the color and trash in cotton linters.

(b) Staple. The staple normal for each grade as illustrated in grades 1 through 7 (sections 28.201-28.207) and represented in official staple guides numbered 1 through 7 respectively shall be designated as staples 1, 2, 3, 4, 5, 6, and 7 respectively.

(c) Character. The term character means the relative harshness of linters. In linters classification, character shall be described as follows: Soft (symbol S); Average (symbol A); Harsh (symbol H); or Extra Harsh (symbol EH).

(d) Prime linters. Prime linters are cotton linters which are equivalent in grade to the official grade standards and do not show evidence of excess trash, physical deterioration, the presence of objectionable odors, or other characteristics which prohibit its description in terms of the official grade standards.

(e) Off grade linters. Cotton linters which show evidence of physical deterioration, the presence of objectionable odors, or other characteristics which prohibit its description in terms of the official grade standards shall be designated as "Off Grade," and no specific grade assigned.

(f) Excess trash. Cotton linters that contain more trash than is represented in the grades described in sections 28.201-28.208 shall be assigned that grade to which it is equal in color and further described by the term "Excess Trash." Such linters shall not be considered as prime linters.

(g) Compound grades. Cotton linters which in grade show a variation equal to that shown in any 2 or 3 adjacent grades of

those described in sections 28.201-28.208 shall be designated by the compound name of such grades.

(h) Compound staples. Cotton linters which in staple show a variation equal to that shown in any 2 or 3 adjacent staples of those listed in section 28.209 shall be designated by the compound name of such staples.

(i) Mixed packed grades. Cotton linters which in grade show a variation greater than that shown in any 3 adjacent grades of those described in sections 28.201-28.208 shall be designated as "Mixed Packed" for grade on classification certificates and memoranda and the grades constituting the mixture shown.

(j) Mixed packed staples. Cotton linters which in staple show a variation greater than that shown in any 3 adjacent staples of those listed in section 28.209 shall be designated as "Mixed Packed" for staple on classification certificates and memoranda and the staples constituting the mixture shown.

(k) Weak staple. Cotton linters in which the strength of staple is below that normally found in linters of otherwise comparable staple shall be designated by the term "Weak" and no specific staple assigned.

(l) Below 7 staple. Cotton linters which in staple is below that illustrated in Grade 7 (section 28.207) shall be designated as "Below 7" staple.

(m) False packed linters. Linters in a bale (1) containing substances entirely foreign to linters; (2) containing damaged linters in the interior with or without any indication of such damage upon the exterior; (3) composed of good linters upon the exterior and decidedly inferior linters in the interior, in such manner as not to be detected by customary examination; or (4) containing motes, sweepings, or hull fiber worked into the bale.

(n) Repacked linters. Linters that are composed of factors', brokers', or other samples, or of loose or miscellaneous lots collected and rebaled, or linters in a bale which is composed of linters from two or more smaller bales or parts of bales.

(o) Water-packed linters. Linters in a bale that has been penetrated by water during the baling process, causing damage to the fiber, or a bale that through exposure to the weather or by other means, while apparently dry on the exterior, has been damaged by water in the interior.

Sec. 28.146 Reviews. A review of any Form A or Form C determination may be requested by the owner of the linters from which the sample was drawn, or his agent, within 30 days after the issuance of the original memorandum or certificate. Such request shall be filed with the secretary of the Board of Cotton Linters Examiners at Washington, D. C., and shall be

accompanied by the original classification memorandum or certificate if it is in the possession of the applicant. The application shall state the reason for failure to submit such document. Form D determinations are not subject to review.

(a) Form A and Form C Reviews. Redrawn samples will be required except in cases where the original samples have remained in the custody of the Board of Cotton Linters Examiners. When redrawn samples are necessary, they shall be drawn and submitted in accordance with the applicable provisions of sections 28.138, 28.140, 28.141, and 28.142. A Form A memorandum or Form C certificate, as applicable, appropriately marked to indicate that it represents a review determination shall be issued to the applicant requesting the review. The review classification memorandum shall supersede the original classification memorandum.

(b) Review of licensed classifier's certificate. In case a review is desired of the classification of any linters represented in a valid certificate issued by a licensed linters classifier, the holder of such certificate shall surrender the same, together with samples of the linters involved, to the Board of Cotton Linters Examiners and receive in its stead a Form D memorandum signed by the chairman of such board. Such Form D memorandum shall be appropriately marked to show it represents a review of a licensed classifier's certificate. The Form D memorandum issued in lieu of the licensed classifier's certificate shall not be subject to further review. The provisions of this paragraph do not prohibit the drawing of new samples and filing of a request with the Board of Cotton Linters Examiners leading to a Form A or Form D memorandum or a Form C certificate.

Sec. 28.147 Licensed classifiers. Subject to the applicable terms and conditions of sections 28.76-28.96, any person may, upon presentation of evidence of competency, be licensed to grade or classify linters, and to certificate the grade or class thereof in accordance with the official cotton linters standards of the United States.

(a) Class certificates; form; mailing to board. Each class certificate issued by a licensed linters classifier under this subpart shall be on a form furnished by the Department of Agriculture. A copy of each certificate shall be mailed to the Board of Cotton Linters Examiners at Washington, D. C., within 3 days after issuance.

(b) Supervisory samples. Some samples from each lot or mark of samples on which a licensed linters classifier issues a certificate under this subpart shall be sent to the Board of Cotton Linters Examiners for supervisory purposes. Such supervisory samples shall be submitted to the board in accordance with instructions furnished licensees by the Department of Agriculture from time to time.

Sec. 28.148 Fees and costs; classification; reviews; other. The fee for the classification, comparison, or review of linters with respect to grade, staple, and character, or any of these qualities, shall be at the rate of 20 cents for each bale or sample involved. The provisions of

sections 28.118-28.135 relating to other fees and costs shall, so far as applicable, apply to services performed with respect to linters.

Sec. 28.149 Fees and costs; supervision of sampling. For the supervision of sampling of bales of linters leading to a Form C certificate pursuant to section 28.138(b), the person making the request for classification shall pay, in addition to the classification fee prescribed in section 28.148, the necessary traveling expenses and subsistence, or per diem in lieu of subsistence, incurred on account of such request, in accordance with the fiscal regulations of the Department of Agriculture, by the Department employee supervising the sampling.

Sec. 28.150 Fee; licenses; renewals. The fee for the examination of an applicant for a license to classify linters shall be \$10. No additional charge shall be made for the issuance of a license to an applicant found to be properly qualified. The fee for each renewal of such license shall be \$5.

Sec. 28.151 Cost of practical forms; period effective. Practical forms of the official cotton linters standards of the United States will be furnished to any person subject to the applicable terms and conditions specified in section 28.115, and upon prepayment of the costs thereof: Provided, That no practical form of any of the official cotton linters standards of the United States shall be considered as representing any of said standards after the date of its cancellation in accordance with this subpart, or, in any event, after the expiration of 12 months following the date of its certification. The costs of the official standards shall be at the rate of \$5 each, f.o.b., Washington, D. C., for shipments within the continental United States, and \$6.50 each, delivered to destination, for shipments outside the continental United States.

Sec. 28.152 Official staple guides. An actual sample of linters illustrating the staples as embraced in each of the grades 1 through 7 (sections 28.201-28.207) shall be made available, to the extent that facilities permit, to purchasers of practical forms of the official standards, at the rate of \$1 each, f.o.b., Washington, D. C., for shipments within the continental United States, and \$1.50 each, delivered to destination, for shipments outside the continental United States.

